

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF MISSISSIPPI
GREENVILLE DIVISION**

JEFFREY AND KIMBERLY BUTTS, ET AL.

PLAINTIFFS

VS.

CAUSE NO.: 4:18-CV-0001-DMB-JMV

**REPRESENTATIVE PHILIP GUNN, in his
official capacity as Speaker of the Mississippi
House of Representatives, ET AL.**

DEFENDANTS

ORDER

State Defendants Rosemary Aultman, in her official capacity as Chairman of the State Board of Education, Dr. Carey M. Wright, in her official capacity as Superintendent of the Mississippi Department of Education, Jason Dean, Buddy Bailey, Kami Bumgarner, Karen Elam, Johnny Franklin, William Harold Jones, John Kelly, and Frank McClalland, all in their official capacities a Members of the Mississippi State Board of Education, have moved to dismiss all of the claims asserted against them by the Montgomery County School District in the above-styled case based on a lack of subject matter jurisdiction and failure to state a claim.

Under Rule 16(b)(3)(B) of the Uniform Local Rules of the United States District Courts for the Northern and the Southern Districts of Mississippi, “Filing a motion to compel arbitration, or a motion asserting an immunity defense or jurisdictional defense stays the attorney conference and disclosure requirements and all discovery, pending the court’s ruling on the motion, including any appeal.”

ACCORDINGLY, IT IS ORDERED that conferences, disclosure requirements, and discovery, should be stayed. **Furthermore**, to the extent the prior order staying the case submitted by Defendants’ counsel and entered by the court [#32] purports to stay the case beyond the dictates

of Local Rule16(b)(3)(B), such order is amended in conformity herewith and Local Rule16(b)(3)(B). Defendants' counsel shall submit to the undersigned a proposed order lifting the stay, if necessary, within ten days of notification of the court's ruling on the underlying dispositive motion.

SO ORDERED this, January 24, 2018.

/s/ Jane M. Virden
UNITED STATES MAGISTRATE JUDGE